

**BATTLE NEAR
VERA CRUZ AS
FUNSTON WIRES**

General Varrs War Department to Heed Threats of Attack on Him.

**REBELS DESTROYING
RAILWAY TO CAPITAL**

Seek to Prevent Huerta's Escape from Mexico City.

MUNITIONS ON WAY

Despite Washington Announcement El Sud Lands Arms at Guastem for Tampico.

(By Telegraph to The Tribune.)

Juarez, Mexico, June 10.—Official advice to military headquarters here today, through Saltillo, report fighting between Constitutionalists and Federalists within twenty miles of the American position outside of Vera Cruz.

General Candido Aguilar, commanding the rebels moving toward Vera Cruz, attacked a detachment of Federalists under General Gustavo Maas twenty miles inland from Vera Cruz. The dispatch said that the Federalists were repulsed, but gave no details.

Washington, June 10.—Railroad communication between Mexico City and Vera Cruz is menaced by Constitutionalists forces, Brigadier General Funston reported to-night to the War Department. From sources in touch with the Constitutionalists here it was learned that the particular object of the activity of Carranza's troops in Vera Cruz State is to cut off if possible all means of retreat for Huerta and his cabinet in case they determine to quit the capital.

General Funston also reported that rumors of a contemplated Federal attack on Vera Cruz persisted to the point where they could not be entirely ignored. He was unable to say how many Federalists remained in the territory between the capital and the Gulf.

The Constitutionalists forces in Vera Cruz State, numbering about three thousand, are said to be disposed so that they might be able to cut not only the railroad between Mexico City and Vera Cruz, but also the line between the capital and Puerto Mexico. The forces are under command of General Aguilar, and his chief of staff is Colonel Manuel Perez Romero, a brother-in-law of the late President Madero.

It has been understood here that the South American mediators are prepared to make an appeal for Huerta's personal safety if his government collapses before the end of the Niagara conference.

Vera Cruz, Mexico, June 10.—Efforts to induce President Huerta to permit the closing of the gap in the railroad made by General Maas a short distance outside of Vera Cruz, when the Mexican troops under his command evacuated this port, have again failed.

The President said to a British emissary who went to the Federal capital from Vera Cruz for that purpose that his dignity would not permit the repairing of the road; that "if the Mexicans who yet are at Vera Cruz were so unpatriotic as to remain they ought to starve."

ARMS MAY BE FOR HUERTA

Rebel Agent Says Arcadia Cargo Is Not Carranza's.

The 1,000,000 rounds of ammunition taken from this port to Baltimore on the liner

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WM. HAMMERSTEIN DEAD

End Comes at Sanatorium—Active in Theatrical Work.

William Hammerstein, head of the management of the Hammerstein Victoria Theatre, died last night at the Poggio Sanatorium, at Central Park West and 91st st. Bright's disease was the cause. His brothers, Arthur and Harry, his two sons, Oscar and Reginald, and his wife were with him until the end.

Mr. Hammerstein was removed to the sanatorium ten days ago. He was much depressed, and expressed the belief that he never would recover.

His activities in the theatrical field began about twenty years ago. He brought forward numerous vaudeville acts, and when Oscar Hammerstein, his father, built the Victoria Theatre at Seventh av. and 42d st., he put William Hammerstein in charge.

During the last two years Mr. Hammerstein had suffered intermittently from an acute form of kidney and liver trouble. He often complained of severe neuralgic headaches, and several times he was forced to retire temporarily from his business.

While in the sanatorium he showed but few signs of improvement, and the end was predicted several days ago. Dr. Philip Grausman was the physician in charge.

Mr. Hammerstein was forty years old and was married twice. He had two sons by his first wife. She died five years ago, and in 1911 he married again.

**BEGS EARLY TRIAL
TO CLEAR HER NAME**

Mrs. Bacon, Facing Operation, for Children's Sake Gets Speedy Divorce Hearing.

To clear her name for her children's sake from any stigma brought upon it by the divorce suit of her husband, Samuel Marshall Bacon, of Jersey City, Mrs. Dora Bacon yesterday obtained from the Supreme Court promise of a trial before she undergoes an operation that may imperil her life.

She already has engaged a bed in the Presbyterian Hospital, as the operation, she said, cannot be delayed without even greater danger to her life.

"Your deponent," said Mrs. Bacon in an affidavit, "is the mother of four children, and stands accused of unfaithfulness to her marriage vows. She does not desire to undergo this operation until she has purged her name for the sake of her children from the stigma cast upon it; and your deponent does not want to go under the knife, fearful lest it may prove fatal, until she has eliminated the disgrace and unjust accusations of this defendant, her husband."

Mrs. Bacon referred to her husband as defendant because she is suing him for a separation, and he asks for a divorce in a counter suit.

11 HURT IN AUTO CRASHES

Women Among Injured—Men Flee from Hospital.

Two men and two women were taken to the Flushing Hospital early this morning from Broadway and Sanford av., Flushing, where they were found beside the wreck of a five-passenger touring car which had dashed into a telegraph pole.

The men had been in the hospital but a few minutes when they fled, leaving the women. The latter said they were Mrs. John F. Gerbach, of 53d st., Brooklyn, and Mildred Steigerwald, of 253 West 68th st., Manhattan.

The automobile was an expensive machine. It bore the number 39881 N. Y. Five men and two women were injured when two automobiles crashed together in Pelham Parkway, near the New Haven Railroad bridge, early this morning. Ambulances were called from Fordham Hospital and the injured removed there.

DEATH NEWS HELD UP

Sister's Accident Kept Secret Till His Daughter Weds.

Unaware of the death of his sister, Mrs. William Dawson, who fell from the second story of her home Tuesday, Ernest Hall, a lawyer, of 1087 Boston Road, attended the marriage of his daughter, Miss Edna Hall, to Herbert Hampton Anderson yesterday morning. The news of Mrs. Dawson's death was kept from Miss Hall and her father until after the wedding.

Mrs. Dawson, who was fifty-eight years old, lived in Florence Park, Oyster Bay. She had been ill for some time and toppled through the window Tuesday while trimming vines. She was a member of Christ Episcopal Church of this city, where the funeral will be held to-morrow.

WILSON MAY TAKE STUMP

Urged to Help Democrats Here and Elsewhere.

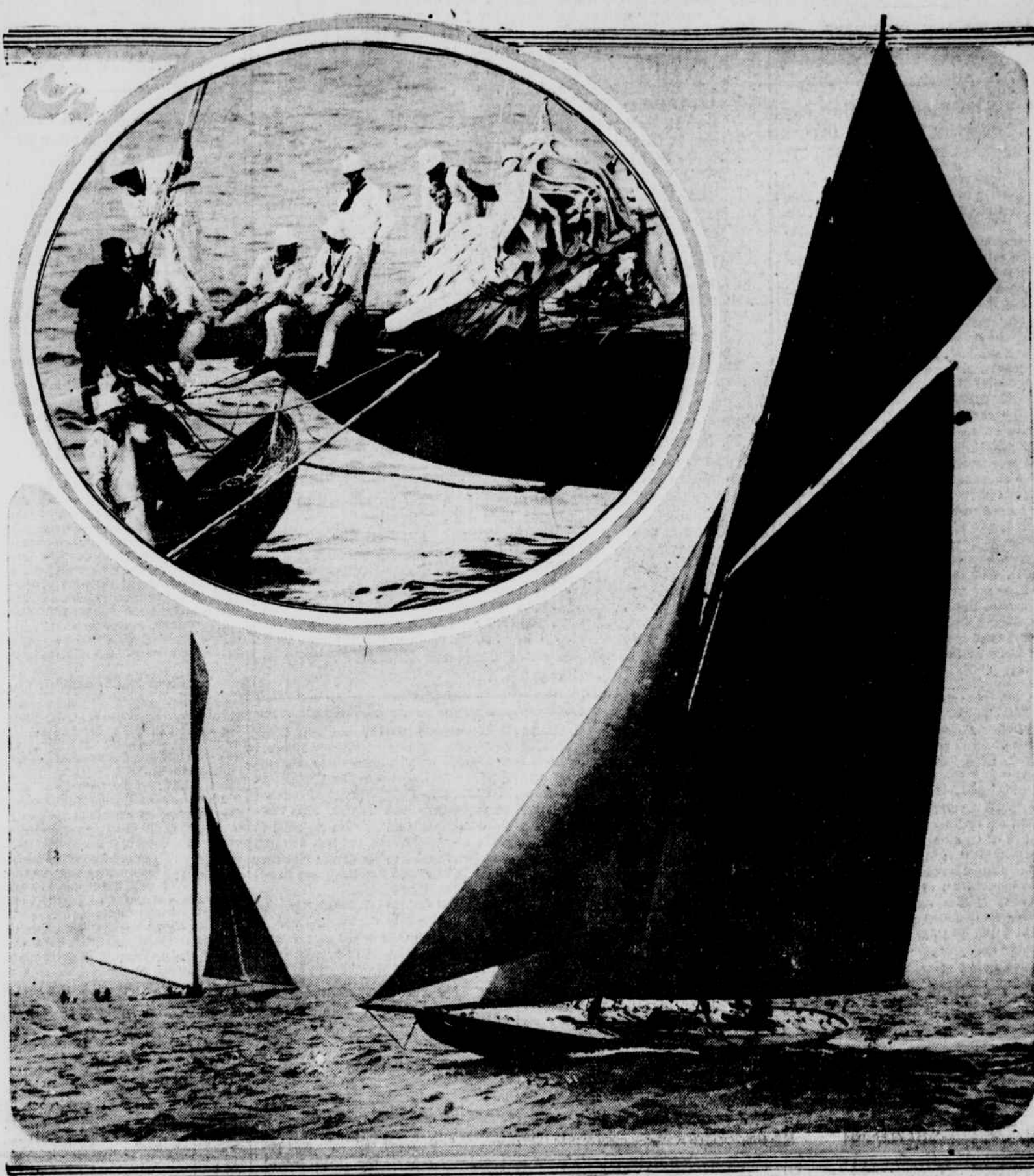
(From The Tribune Bureau.)

Washington, June 10.—Strong pressure is being brought to bear on the President to take the stump this fall.

There is a plan among New York politicians to have Mr. Wilson make a trip in that state in the interest of "Wilson Democracy." It is urged that the administration must assert itself more decisively if Tammany is to be routed. Another argument is that Colonel Roosevelt's influence in the next campaign must be considered.

Tampico Force Safe in Capital.

Mexico City, June 10.—General Ignacio Morones Zaragoza, at the head of 3,000 men, the remnant of the garrison at Tampico, arrived here to-night.

THE RESOLUTE BEATING THE VANITIE OFF SANDY HOOK.

Cut shows the Vanitie in foreground beating up to the turning mark, with the Resolute running back after rounding the buoy with spinnaker in stops just ready to break out. Upper cut shows sailors of the Defiance repairing bobstay after the yacht had been withdrawn from the race.

**CITY SUES LAWYERS
FOR \$100,000 FEE**

Alleges Fowler, Van Buren and Linson Overcharged for Services.

Everett P. Fowler, indicted for extortion of cash from barge canal and state highway contractors in behalf of the Democratic State Committee, is one of three Kingston attorneys against whom the City of New York filed suit in the Supreme Court yesterday to recover more than \$100,000, alleged overcharge for services in the searching of titles of land required for the Catskill aqueduct.

The other defendants are Senator John J. Linson and former Judge Augustus H. Van Buren, of the law firm of Fowler & Van Buren. The defendants are charged with false representations in their claims.

The information on which the suits were brought was furnished to the Corporation Counsel by William McMurry Spear. Some of this information, it is said, was brought to the attention of Archibald F. Watson, while he was Corporation Counsel, but action was deferred partly because of the campaign scandal in which Fowler was implicated. As part of the claim of the city dates back to 1907, it was necessary to hurry the filing of the action at this time, so that the claim should not be outlawed.

It is alleged that the amount of disbursements was less by \$80,000 than it was represented by Fowler and Linson. The city asks that the approval of the claims given by the Supreme Court be vacated, that the consent of the Corporation Counsel thereto be annulled and that the defendants be compelled to pay back to the city money paid in excess of their legal fees and disbursements.

A ROYAL BETROTHAL

Brother of Queen of Spain to Countess Zia Torby.

(By Cable to The Tribune.)

London, June 11.—It is reported that the betrothal may be announced very soon of Prince Alexander of Battenberg and the Countess Zia Torby. Prince Alexander is the eldest son of Princess Henry of Battenberg, brother of the Queen of Spain, and grandson of Queen Victoria.

Countess Zia Torby is the beautiful elder daughter of the Grand Duke Michael Mikhailovich, who gave up his position at the Czar's court to marry the Countess Torby for love. Prince Alexander is twenty-seven and the Countess Zia twenty-one.

**THE RESOLUTE SAILS
TO AN EASY VICTORY**

Beats the Vanitie Off Sandy Hook, Thanks Largely to Clever Handling of Amateur Skipper—Accident Forces Defiance to Withdraw from Race.

By HERBERT.
(G. Herbert Daley.)

Charles Francis Adams, the amateur skipper from Boston, sailed the Resolute to a clean-cut victory over the Vanitie off Sandy Hook yesterday, on the very battleground, in fact, where next September Sir Thomas Lipton's fourth Shamrock will try to wrest the America's Cup from the holding of the New York Yacht Club against the best and fastest boat which this country can produce.

The yacht designed by the wizard of Bristol proved a veritable witch in the whole-sail breeze which tumbled over the southwest and cut the Atlantic into whitecapped waves. Standing up as steadily as Pisa's leaning tower and with every sail drawing to the last ounce of its power, she not only distanced the Defiance, which shortly withdrew because of a slight accident, but defeated the Vanitie by 4 minutes 16 seconds actual time and 7 minutes 29 seconds corrected time.

She did more than this. She thrashed her way to windward for fifteen miles

fast time of 3 hours 16 minutes and 41 seconds. The best previous time over the America's Cup course of fifteen miles to windward and return was made by the Vigilant on October 19, 1893, when she covered the distance in 3 hours 24 minutes and 39 seconds, and defeated the Valkyrie II by 40 seconds.

Time records in yachting mean little or nothing, as so much depends upon the velocity of the wind, but the fact remains that the Resolute showed amazing speed under the conditions, which will be cheery news to Sir Thomas.

The accident to the Defiance was disappointing, as much interest centred in the first meeting of the three yachts built for the honor of defending the much prized trophy of the seas. After crossing the line last she split tacks with her rivals and went off toward the New Jersey shore, seeking the greatest strength of the ebbing tide and possibly a more westerly wind.

The move, however, was fatal. After losing a mile or more she suddenly with-

Continued on page 4, column 3

CHURCH TEST FOR WILSON

Protestants to Rival Catholics on Thanksgiving Day.

Asbury Park, N. J., June 10.—President Wilson, Vice-President Marshall and the entire Cabinet have one date arranged for them six months from now which they will find difficult to side step. The Reformed Church Synod, which never got over the President's attendance at a Roman Catholic mass Thanksgiving Day, has invented a test for him.

The synod members voted to-day to call upon the executive committee of the Federal Council of the Church of Christ in America to organize in Washington a united service of all the Protestant churches and to invite Mr. Wilson and his Cabinet. If they refuse the synod will interpret the refusal as open defiance, and subversive to the political influence which the Roman Catholic Church is attempting to exert by inviting persons in high positions to attend their services, especially on Thanksgiving Day.

The proposed service will be on Thanksgiving.

Washington, June 10.—What Representative James W. Bryan, of Washington, knows about the national indoor game, draw poker, was demonstrated to the House late to-day, when Mr. Mann, minority leader, threatened to make a point of no quorum.

"Let's go ahead with this bill so we can get to other matters on the Wednesday calendar," said Mr. Bryan.

"Why does the gentleman from Washington four flush?" retorted Mr. Mann.

"If I'm four flushing you're five flushing," Mr. Bryan went on.

"Hey! Let me into this," exclaimed Garner, of Texas. "What do ye mean by a five flush?"

"I confess I don't know anything about poker," said Mr. Bryan.

"Well, a five flush is a pretty good hand down my way," said Mr. Garner.

"The gentleman is from Texas, and he ought to know," said Mr. Bryan.

"Well, I've got a good hand and I insist that we adjourn," said Mr. Mann, and Mr. Mann won.

**DROWNING DID NOT
KILL MISS WINTER**

New Autopsy Proves Girl Was Unconscious Before Immersion.

Baltimore, June 10.—Miss Ella G. Winter, whose body was found floating in Curtis Bay last Monday morning, was not drowned. This was proven this afternoon after Coroner Hemple, of the Northwestern District, and Drs. T. H. Horton and Charles H. Brooks, police surgeons for Anne Arundel County, held a second autopsy over the body at the morgue and found no water in the lungs. Had she died of drowning, physicians declare, water would have been found in the lungs, even if badly decomposed.

A thorough examination of the body showed that it had been in good physical condition before it was found in the water. The organs have been given to Dr. William B. D. Penniman, state chemist, and will be analyzed to-morrow.

Another important development was the finding of Miss Winter's hat. It was found last Friday by Randall Rhodes, a fisherman, fully half a mile up Curtis Creek. The authorities do not believe it could have floated up the creek unless there was a strong wind blowing Thursday night. There was a wind that night, but it was not strong enough, is the belief, to have carried the hat that far up the creek, where there is always a strong current flowing toward the bay.

Coroner Hemple and Drs. Brooks and Horton performed the autopsy, while State's Attorney Green attended, taking notes.

When asked if he would be willing to say that Miss Winter was drowned, Dr. Hemple said he would not, because of the disclosures made by the autopsy. Dr. Horton and Dr. Brooks bore out Dr. Hemple, but they acknowledged that had water been found in Miss Winter's lungs it would have proven beyond the shadow of a doubt that she had been drowned.

They said that, while the absence of water does not prove absolutely that the girl was dead before entering the water, it does prove conclusively that she was unconscious. Had she taken a single breath, they added, after entering the water, there would have been water in the lungs.

Immediately after the autopsy State's Attorney Green gave Sheriff Potee instructions to make a further investigation.

For two hours and fifty minutes Senator Reed discoursed on the benefits of free tolls without letting the hot and irritated Senators into the secret of which way he was going to vote.

The Missouri Senator declared that he intended to force his amendment to the tolls bill which would place American ships on the same plane with the ships of other nations. He admitted that there was an English shipping trust, and he declared that his purpose in throwing down the bars was to let the English trust fight the American trust, in which event the shippers would benefit by a decrease in rates.

"I want to warn you, Senators," Mr. Reed exclaimed, "that if you give away this canal the American people will rise up and take it back again."

A long parliamentary tangle over an amendment by Senator Sutherland, of Utah, to make the Simmons amendment more drastic, took up most of the time of the morning session. Senator Swanson, of Virginia, who occupied the chair in the absence of Vice-President Marshall, ruled the Sutherland amendment out of order.

Senator Borah criticized the Simmons-Norris compromise amendment severely. He declared that it tried to retain for the United States the right under existing treaties to exempt its merchant ships from the payment of tolls, when the President and other Democratic leaders were insisting that under the treaties with Great Britain and Panama the United States had no such right.

"Will any member on the other side of the chamber rise and say that the

**SENATE AMENDS
TOLLS MEASURE
AS COMPROMISE**

Declares Repeal Bill Shall Not Waive Any American Rights.

**CHANGE OPPOSED
BY THE PRESIDENT**

Leaders Understand, However, That He Will Accept Amendment.

PARTY LINES IGNORED

Thirteen Republicans Vote for Compromise and Nine Democrats Against It.

**THE COMPROMISE
TOLLS AMENDMENT**

Provided, That the passage of the act shall not be construed or held as a waiver, or relinquishment of any right the United States may have under the treaty with Great Britain, ratified the 21st of February, 1902, or the treaty with the Republic of Panama, ratified February 26, 1904, or otherwise to discriminate in favor of its vessels by exempting the vessels of the United States or its citizens from the payment of tolls for passage through said canal, or as in any way waiving, impairing or affecting any right of the United States under said treaty, or otherwise, with respect to the sovereignty over or the ownership, control and management of said canal and the regulation of the conditions or charges of traffic through the same.

(From The Tribune Bureau.)

Washington, June 10.—The Simmons-Norris compromise amendment to the Panama Canal tolls repeal bill was passed by the Senate this evening by a vote of 50 to 24.

After a twelve-hour session adjournment was taken until to-morrow, when the final vote on the amended bill is promised.

To-day's compromise provides, in effect, that the repeal bill is not to be interpreted as a waiver of any rights the United States has under its treaties with Great Britain and Panama. President Wilson has expressed his disapproval of it, but has intimated that he will sign the bill if this amendment is incorporated.

Thirteen Republicans, thirty-six Democrats and one Progressive voted for the amendment. Fifteen Republicans and nine Democrats were opposed, the roll call showing this result:

Ayes—Democrats: Bankhead, Bryan, Chilton, Culberson, Fletcher, Hitchcock, Hollis, Hughes, James, Johnson, Kern, Lane, Lea, Lee, Lewis, Martin, Myers, Newlands, Overman, Owen, Pittman, Saulsbury, Shafroth, Sheppard, Shively, Simmons, Smith (Arizona), Smith (Georgia), Smith (Maryland), Smith (S. C.), Stone, Swanson, Thomas, Thompson, West and White. Republicans—Brandegee, Colt, Crawford, Gronna, Kenyon, Lippitt, Lodge, McCumber, McLean, Nelson, Norris, Sterling and Weeks. Progressive—Poindexter.

Nays—Democrats: Ashurst, Martin, O'Gorman, Pomerene, Ransdell, Reed, Shields, Walsh and Williams. Republicans—Bristow, Burleigh, Clark (Wyoming), Cummins, Gallinger, Goff, Jones, Page, Perkins, Smith (Michigan), Smoot, Sutherland, Townsend, Warren and Works.

Read Makes Long Speech.

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